

U.S. DEPARTMENT OF COMMERCE

CHARTER OF THE INFORMATION SECURITY AND PRIVACY ADVISORY BOARD

ESTABLISHMENT

In accordance with 15 U.S.C. 278g-4, the Secretary of Commerce hereby re-charters the Information Security and Privacy Advisory Board, pursuant to the Federal Advisory Committee Act, 5 U.S.C., app. 2.

SCOPE AND OBJECTIVES

1. The Board will identify emerging managerial, technical, administrative, and physical safeguard issues relative to information security and privacy.
2. The Board will advise the National Institute of Standards and Technology (NIST), the Secretary of Commerce, and the Director of the Office of Management and Budget on information security and privacy issues pertaining to Federal government information systems, including thorough review of proposed standards and guidelines developed by NIST.
3. The Board will annually report its findings to the Secretary of Commerce, the Director of the Office of Management and Budget, the Director of the National Security Agency, and the appropriate committees of the Congress.
4. The Board will function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act.

MEMBERS AND CHAIRPERSON

1. The Director of NIST will appoint the members of the Board, and they will be selected on a clear, standard basis, in accordance with applicable Department of Commerce guidance. Members serve at the discretion of the Secretary.
2. The membership of the Board will consist of twelve members and a Chairperson. The term of office for each member of the Board shall be four years. Any member appointed to fill a vacancy on the Board shall serve for the remainder of the term for which his predecessor was appointed.
3. The membership of the Board will include: (1) four members from outside the Federal government eminent in the information technology industry, at least one of whom is representative of small or medium sized companies in such industries; (2) four members from outside the Federal government who are eminent in the field of information technology, or related disciplines, but who are not employed by or representative of a producer of information technology; and (3) four members from the Federal government who have

information system management experience, including experience in information security and privacy, at least one of whom shall be from the National Security Agency.

4. The Director of NIST will appoint the Chair from the members of the Board.
5. Members of the Board who are not full-time officers or employees of the United States will be subject to the ethical standards applicable to special government employees.

ADMINISTRATIVE PROVISIONS

1. The Board will report through the Director of NIST to the Secretary of Commerce.
2. The Board will hold meetings at such locations and at such times as determined by a majority of the Board.
3. Members of the Board, other than full-time employees of the Federal government, will not be compensated for their services, but will, upon request, be allowed travel expenses in accordance with Subchapter I of Chapter 57 of Title 5, United States Code, while otherwise performing duties at the request of the Board Chair, while away from their homes or a regular place of business.
4. To provide the staff services necessary to assist the Board in carrying out its functions, the Board will utilize personnel from NIST and may utilize personnel from any other agency of the Federal government with the consent of the Head of such agency.
5. The annual operating costs associated with supporting the Board's functions are estimated to be \$171,300 per year, including all direct and indirect expenses. It is estimated that 1.0 FTE will be required to support the Board.
6. The Board will not act in the absence of a quorum, which shall consist of seven members.
7. The Board may establish such committees and subcommittees of its members as may be necessary, subject to provisions of the Federal Advisory Committee Act and the Department of Commerce *Committee Management Handbook*.

DURATION

This charter will terminate two years from the date of the filing of this charter with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority.

Date

Chief Financial Officer and
Assistant Secretary for Administration